



THE CITY OF NEW YORK
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BY ECF

Honorable Marilyn D. Go
United States Magistrate Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Michael Mineo v. City of New York, 09 CV 2261 (RRM) (MDG)

Your Honor:

I am an Assistant Corporation Counsel in the Office of Michael A. Cardozo, Corporation Counsel of the City of New York, and one of the attorneys assigned to the above-referenced case on behalf of defendant City of New York ("City"). Pursuant to Your Honor's order dated October 7, 2011, the City writes to respectfully inform the Court that the New York City Police Department ("NYPD") will wait until the conclusion of the instant civil action before finalizing the disciplinary charges against defendant Richard Kern.

The purpose served is the avoidance of piecemeal adjudication of Kern's disciplinary charges, if any, and the conservation of resources, i.e. to preclude the possibility of having to re-open the related investigation based on facts or issues that might arise at the civil trial.

Thank you for your time and consideration in this matter.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Karl J. Ashanti', is written over a circular blue stamp or seal.

Karl J. Ashanti (KA4547)
Assistant Corporation Counsel
Special Federal Litigation Division

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